

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ROBERT MARTIN

Petitioner,

v.

Case No. 2:04-cv-748
JUDGE SARGUS

DEBORAH TIMMERMAN-COOPER,

Warden,

Magistrate Judge ABEL

Respondent.

ORDER


On June 24, 2005, the Magistrate Judge issued a *Report and Recommendation* recommending that the petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed. On July 13, 2005, petitioner filed objections to the *Report and Recommendation*. Petitioner objects to all of the Magistrate Judge's recommendations.

Pursuant to 28 U.S.C. 636(b)(1), this Court has conducted a *de novo* review of those portions of the *Report and Recommendation* objected to by petitioner. For the reasons discussed in the *Report and Recommendation*, petitioner's objections are **OVERRULED**.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. This case is **DISMISSED**. Petitioner's request for the appointment of counsel is **DENIED**.

The Clerk is **DIRECTED** to enter final judgment dismissing this action.

IT IS SO ORDERED.


7-19-2005
EDMUND A. SARGUS, JR.
United States District Judge